

AMENDMENT FORM

COMMITTEE: FINANCE/EXECUTIVE

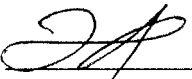
PAGE NUMBER(S): _____

COMMUNICATION I.D.#: _____

CAPTION: ☐ YES ☐ NO

ORDINANCE I.D.#: 09-0-1515 SECTION(S): _____

RESOLUTION I.D.#: _____ PARAGRAPH(S): _____

AUTHORIZING SIGNATURE:  DATE: 9-14-9

Change the words "Universal Tennis Academy"
to "Universal Tennis Management" in the
caption and where ever it appears throughout
the legislation.

A SUBSTITUTE ORDINANCE**BY FINANCE/EXECUTIVE COMMITTEE***Management*

AN ORDINANCE TO ANTICIPATE AND APPROPRIATE REVENUE PAYMENTS FROM UNIVERSAL TENNIS ~~ACADEMY~~ FOR FC-4944 SPECIAL PROCUREMENT FOR MANAGEMENT AND OPERATION OF VARIOUS TENNIS CENTERS IN THE AMOUNT OF THIRTY THOUSAND AND NO DOLLARS (\$30,000.00) FOR CAPITAL IMPROVEMENTS TO THE TENNIS CENTERS NAMED HEREIN; TO ANTICIPATE AND APPROPRIATE EXCESS REVENUE PAYMENTS AS CALCULATED BELOW TO BE PLACED IN TRUST ACCOUNTS FOR CAMP BEST FRIENDS AND THE TRUST ACCOUNTS FOR THE CENTERS WHICH GENERATED THE EXCESS REVENUE IN THE AMOUNTS INDICATED HEREIN; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta's ("City's") Department of Parks, Recreation and Cultural Affairs ("DPRCA") operates recreational tennis programs and manages several tennis centers throughout the City, to wit: Sharon E. Lester Tennis Center in Piedmont Park, Washington Park Tennis Center in Washington Park, Chastain Park Tennis Center in Chastain Park, Bitsy Grant Tennis Center in Atlanta Memorial Park and McGhee Tennis Center in John A. White Park (cumulatively the "Tennis Centers", or individually "Tennis Center"); and

WHEREAS, the City Council adopted legislation to award Contract No. FC-4944, Special Procurement for Management and Operation of Various Tennis Centers ("Contract") for the Department of Parks, Recreation and Cultural Affairs ("DPRCA") to Universal Tennis Management, LLC, a subsidiary of Universal Tennis Academy ("UTA"), for which UTA will remit revenues to the City according to a mutually-negotiated formula set forth below.

WHEREAS, the formula by which UTA will return revenues to the City is as follows: UTA will remit a minimum monthly payment for all five tennis centers cumulatively in the amount of Two Thousand, Five Hundred and No Dollars (\$2,500.00) ("Minimum Payment"). In addition UTA will remit to the City revenue in excess of Seven Thousand, Five Hundred and No Dollars (\$7,500.00) per quarter (the "Excess") up to two percent (2%) of the gross revenue UTA generates per quarter for the first year of operations. In the second year of the Contract the Excess shall not exceed three percent (3%) of the gross revenue UTA generates per quarter. For the third, fourth and fifth years of the Contract, the Excess shall not exceed four percent (4%) of the gross revenue UTA generates per quarter.

WHEREAS, the Minimum Payment will be divided evenly into five portions, and the Trust Account for each of the five Tennis Centers shall receive one of the portions. The funds in the Trust Accounts are utilized for capital improvements of each Tennis Center. Fifty percent (50%)

of the Excess will be retained for use in Camp Best Friends programs. The remaining 50% of the Excess shall be deposited amongst those Tennis Centers from which the Excess was generated, in proportion to the Tennis Center's contribution to the Excess.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1: That the fiscal year 2010 budget be amended as follows where applicable to each designated location:

Bitsy Grant Tennis Center

Add to Anticipations

PTAEO					FDOA						
Award Number					Amount	Fund	GL Dept #	Rev Acct	Function Activity Number	GL Project #	GL Funding Source
					100%	7701	140303	3472001	6190000	600249	69999
						Trust	PRC SUMMER PROGRAM	FEES, TENNIS	SPECIAL FACILITIES	Bitsy Grant Tennis Ctr	Non-Capital Trust
Contract Total:					100%						

Add to Appropriations

PTAEO					Amount	FDOA					
Project Number	Task Number	Award Number	Exp. Acct.	Owning Org.		Fund	GL Dept #	Exp Acct	Function Activity Number	GL Project #	GL Funding Source
					100%	7701	140303	5212001	6190000	600249	69999
						Trust	PRC SUMMER	Consulting	SPECIAL	Bitsy Grant	Non-Capital
						Fund	PROGRAM	Prof. Serv.	FACILITIES	Tennis Ctr	Trust
Contract Total:					100%						

Washington Park Tennis Center

Add to Anticipations

PTAEO					Amount	FDOA					
Award Number						Fund	GL Dept #	Rev Acct	Function Activity Number	GL Project #	GL Funding Source
					100%	7701	140303	3472001	6190000	600261	69999
						Trust Fund	PRC SUMMER PROGRAM	FEES, TENNIS	SPECIAL FACILITIES	Wash. Park Tennis Ctr	Non-Capital Trust
Contract Total:					100%						

Add to Appropriations

PTAEO					Amount	FDOA					
Project Number	Task Number	Award Number	Exp. Acct.	Owning Org.		Fund	GL Dept #	Exp Acct	Function Activity Number	GL Project #	GL Funding Source
					100%	7701	140303	5212001	6190000	600261	69999
						Trust	PRC SUMMER	Consulting	SPECIAL	Wash. Park	Non-Capital
						Fund	PROGRAM	Prof. Serv.	FACILITIES	Tennis Ctr	Trust
Contract Total:					100%						

Sharon Lester Tennis Center

Add to Anticipations

PTAEO					Amount	FDOA					
Award Number						Fund	GL Dept #	Rev Acct	Function Activity Number	GL Project #	GL Funding Source
					100%	7701	140303	3472001	6190000	600229	69999
						Trust	PRC SUMMER PROGRAM	FEES, TENNIS	SPECIAL FACILITIES	Sharon Lester Tennis Ctr	Non-Capital Trust
Contract Total:					100%						

Add to Appropriations

PTAEO					Amount	FDOA					
Project Number	Task Number	Award Number	Exp. Acct.	Owning Org.		Fund	GL Dept #	Exp Acct	Function Activity Number	GL Project #	GL Funding Source
					100%	7701	140303	5212001	6190000	600229	69999
						Trust	PRC SUMMER PROGRAM	Consulting Prof. Serv.	SPECIAL FACILITIES	Sharon Lester Tennis Ctr	Non-Capital Trust
Contract Total:					100%						

Chastain Tennis Center

Add to Anticipations

PTAEO					Amount	FDOA					
Award Number						Fund	GL Dept #	Rev Acct	Function Activity Number	GL Project #	GL Funding Source
					100%	7701	140303	3472001	6190000	600240	69999
						Trust	PRC SUMMER PROGRAM	FEES, TENNIS	SPECIAL FACILITIES	Chastain Tennis Ctr	Non-Capital Trust
Contract Total:					100%						

Add to Appropriations

PTAEO					Amount	FDOA					
Project Number	Task Number	Award Number	Exp. Acct.	Owning Org.		Fund	GL Dept #	Exp Acct	Function Activity Number	GL Project #	GL Funding Source
					100%	7701	140303	5212001	6190000	600240	69999
						Trust	PRC SUMMER PROGRAM	Consulting Prof. Serv.	SPECIAL FACILITIES	Chastain Tennis Ctr	Non-Capital Trust
Contract Total:					100%						

McGhee Tennis Center

Add to Anticipations

PTAEO					Amount	FDOA					
Award Number						Fund	GL Dept #	Rev Acct	Function Activity Number	GL Project #	GL Funding Source
					100%	7701	140303	3472001	6190000	600250	69999
						Trust Fund	PRC SUMMER PROGRAM	FEES, TENNIS	SPECIAL FACILITIES	McGhee Tennis Ctr	Non-Capital Trust
Contract Total:					100%						

Add to Appropriations

PTAEO					Amount	FDOA					
Project Number	Task Number	Award Number	Exp. Acct.	Owning Org.		Fund	GL Dept #	Exp Acct	Function Activity Number	GL Project #	GL Funding Source
					100%	7701	140303	5212001	6190000	600250	69999
						Trust Fund	PRC SUMMER PROGRAM	Consulting Prof. Serv.	SPECIAL FACILITIES	McGhee Tennis Ctr	Non-Capital Trust
Contract Total:					100%						

Camp Best Friends

Add to Anticipations

PTAEO					Amount	FDOA					
Award Number						Fund	GL Dept #	Rev Acct	Function Activity Number	GL Project #	GL Funding Source
					100%	7701	140301	3472001	6110000	600355	69999
						Trust Fund	PRC SUMMER PROGRAM	FEES, TENNIS	SPECIAL FACILITIES	Camp Best Friends	Non-Capital Trust
Contract Total:					100%						

Add to Appropriations

PTAEO					Amount	FDOA					
Project Number	Task Number	Award Number	Exp. Acct.	Owning Org.		Fund	GL Dept #	Exp Acct	Function Activity Number	GL Project #	GL Funding Source
					100%	7701	140301	5212001	6110000	600355	69999
						Trust Fund	PRC SUMMER PROGRAM	Consulting Prof. Serv.	SPECIAL FACILITIES	Camp Best Friends	Non-Capital Trust
Contract Total:					100%						
Total:					100%						

SECTION 2: That all Ordinances and parts of Ordinances in conflict herewith are hereby waived to the extent of the conflict.

ORDINANCE

BY FINANCE/EXECUTIVE COMMITTEE

AN ORDINANCE TO ANTICIPATE AND APPROPRIATE REVENUE PAYMENTS FROM UNIVERSAL TENNIS ACADEMY FOR FC-4944 SPECIAL PROCUREMENT FOR MANAGEMENT AND OPERATION OF VARIOUS TENNIS CENTERS IN THE AMOUNT OF THIRTY THOUSAND AND NO DOLLARS (\$30,000.00) FOR CAPITAL IMPROVEMENTS TO THE TENNIS CENTERS NAMED HEREIN; TO ANTICIPATE AND APPROPRIATE EXCESS REVENUE PAYMENTS AS CALCULATED BELOW TO BE PLACED IN TRUST ACCOUNTS FOR CAMP BEST FRIENDS AND THE TRUST ACCOUNTS FOR THE CENTERS WHICH GENERATED THE EXCESS REVENUE IN THE AMOUNTS INDICATED HEREIN; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta's ("City's") Department of Parks, Recreation and Cultural Affairs ("DPRCA") operates recreational tennis programs and manages several tennis centers throughout the City, to wit: Sharon E. Lester Tennis Center in Piedmont Park, Washington Park Tennis Center in Washington Park, Chastain Park Tennis Center in Chastain Park, Bitsy Grant Tennis Center in Atlanta Memorial Park and McGhee Tennis Center in John A. White Park (cumulatively the "Tennis Centers", or individually "Tennis Center"); and

WHEREAS, the City Council adopted legislation to award Contract No. FC-4944, Special Procurement for Management and Operation of Various Tennis Centers ("Contract") for the Department of Parks, Recreation and Cultural Affairs ("DPRCA") to Universal Tennis Management, LLC, a subsidiary of Universal Tennis Academy ("UTA"), for which UTA will remit revenues to the City according to a mutually-negotiated formula set forth below.

WHEREAS, the formula by which UTA will return revenues to the City is as follows: UTA will remit a minimum monthly payment for all five tennis centers cumulatively in the amount of Two Thousand, Five Hundred and No Dollars (\$2,500.00) ("Minimum Payment"). In addition UTA will remit to the City revenue in excess of Seven Thousand, Five Hundred and No Dollars (\$7,500.00) per quarter (the "Excess") up to two percent (2%) of the gross revenue UTA generates per quarter for the first year of operations. In the second year of the Contract the Excess shall not exceed three percent (3%) of the gross revenue UTA generates per quarter. For the third, fourth and fifth years of the Contract, the Excess shall not exceed four percent (4%) of the gross revenue UTA generates per quarter.

WHEREAS, the Minimum Payment will be divided evenly into five portions, and the Trust Account for each of the five Tennis Centers shall receive one of the portions. The funds in the Trust Accounts are utilized for capital improvements of each Tennis Center. Fifty percent (50%)

The Excess will be retained for use in Camp Best Friends programs. The remaining 50% of the Excess shall be deposited amongst those Tennis Centers from which the Excess was generated, in proportion to the Tennis Center's contribution to the Excess.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1: That the fiscal year 2010 budget be amended as follows where applicable to each designated location:

Bitsy Grant Tennis Center

Add to Anticipations

PTAEO					Amount	FDOA					
Award Number						Fund	GL Dept #	Rev Acct	Function Activity Number	GL Project #	GL Funding Source
					100%	7701	140303	3472001	6190000	600249	69999
						Trust	PRC SUMMER	FEES, TENNIS	SPECIAL	Bitsy Grant	Non-Capital
						Fund	PROGRAM		FACILITIES	Tennis Ctr	Trust
Contract Total:					100%						

Add to Appropriations

PTAEO					Amount	FDOA					
Project Number	Task Number	Award Number	Exp. Acct.	Owning Org.		Fund	GL Dept #	Exp Acct	Function Activity Number	GL Project #	GL Funding Source
					100%	7701	140303	5212001	6190000	600249	69999
						Trust	PRC SUMMER	Consulting	SPECIAL	Bitsy Grant	Non-Capital
						Fund	PROGRAM	Prof. Serv.	FACILITIES	Tennis Ctr	Trust
Contract Total:					100%						

Washington Park Tennis Center

Add to Anticipations

PTAEO					FDOA						
Award Number					Amount	Fund	GL Dept #	Rev Acct	Function Activity Number	GL Project #	GL Funding Source
					100%	7701	140303	3472001	6190000	600261	69999
						Trust	PRC SUMMER	FEES, TENNIS	SPECIAL	Wash. Park	Non-Capital
						Fund	PROGRAM		FACILITIES	Tennis Ctr	Trust
Contract Total:					100%						

Add to Appropriations

PTAEO					Amount	FDOA					
Project Number	Task Number	Award Number	Exp. Acct.	Owning Org.		Fund	GL Dept #	Exp Acct	Function Activity Number	GL Project #	GL Funding Source
					100%	7701	140303	5212001	6190000	600261	69999
						Trust	PRC SUMMER	Consulting	SPECIAL	Wash. Park	Non-Capital
						Fund	PROGRAM	Prof. Serv.	FACILITIES	Tennis Ctr	Trust
Contract Total:					100%						

Sharon Lester Tennis Center

Add to Anticipations

PTAEO					Amount	FDOA					
Award Number				Fund		GL Dept #	Rev Acct	Function Activity Number	GL Project #	GL Funding Source	
				100%	7701	140303	3472001	6190000	600229	69999	
					Trust	PRC SUMMER	FEES, TENNIS	SPECIAL	Sharon Lester	Non-Capital	
					Fund	PROGRAM		FACILITIES	Tennis Ctr	Trust	

Contract Total: 100%

Add to Appropriations

PTAEO					Amount	FDOA					
Project Number	Task Number	Award Number	Exp. Acct.	Owning Org.		Fund	GL Dept #	Exp Acct	Function Activity Number	GL Project #	GL Funding Source
					100%	7701	140303	5212001	6190000	600229	69999
						Trust	PRC SUMMER	Consulting	SPECIAL	Sharon Lester	Non-Capital
						Fund	PROGRAM	Prof. Serv.	FACILITIES	Tennis Ctr	Trust

Contract Total: 100%

Chastain Tennis Center

Add to Anticipations

PTAEO					Amount	FDOA					
Award Number				Fund		GL Dept #	Rev Acct	Function Activity Number	GL Project #	GL Funding Source	
				100%	7701	140303	3472001	6190000	600240	69999	
					Trust	PRC SUMMER	FEES, TENNIS	SPECIAL	Chastain	Non-Capital	
					Fund	PROGRAM		FACILITIES	Tennis Ctr	Trust	

Contract Total: 100%

Add to Appropriations

PTAEO					Amount	FDOA					
Project Number	Task Number	Award Number	Exp. Acct.	Owning Org.		Fund	GL Dept #	Exp Acct	Function Activity Number	GL Project #	GL Funding Source
					100%	7701	140303	5212001	6190000	600240	69999
						Trust	PRC SUMMER	Consulting	SPECIAL	Chastain	Non-Capital
						Fund	PROGRAM	Prof. Serv.	FACILITIES	Tennis Ctr	Trust

Contract Total: 100%

McGhee Tennis Center

Add to Anticipations

PTAEO					Amount	FDOA					
Award Number				Fund		GL Dept #	Rev Acct	Function Activity Number	GL Project #	GL Funding Source	
				100%	7701	140303	3472001	6190000	600250	69999	
					Trust	PRC SUMMER	FEES, TENNIS	SPECIAL	McGhee	Non-Capital	
					Fund	PROGRAM		FACILITIES	Tennis Ctr	Trust	
Contract Total:					100%						

Add to Appropriations

PTAEO					Amount	FDOA					
Project Number	Task Number	Award Number	Exp. Acct.	Owning Org.		Fund	GL Dept #	Exp Acct	Function Activity Number	GL Project #	GL Funding Source
					100%	7701	140303	5212001	6190000	600250	69999
						Trust	PRC SUMMER	Consulting	SPECIAL	McGhee	Non-Capital
						Fund	PROGRAM	Prof. Serv.	FACILITIES	Tennis Ctr	Trust
Contract Total:					100%						

Camp Best Friends

Add to Anticipations

PTAEO					Amount	FDOA					
Award Number						Fund	GL Dept #	Rev Acct	Function Activity Number	GL Project #	GL Funding Source
					100%	7701	140303	3472001	6190000	600355	69999
						Trust	PRC SUMMER	FEES, TENNIS	SPECIAL	Camp Best	Non-Capital
						Fund	PROGRAM		FACILITIES	Friends	Trust
Contract Total:					100%						

Add to Appropriations

PTAEO					Amount	FDOA					
Project Number	Task Number	Award Number	Exp. Acct.	Owning Org.		Fund	GL Dept #	Exp Acct	Function Activity Number	GL Project #	GL Funding Source
					100%	7701	140303	5212001	6190000	600355	69999
						Trust	PRC SUMMER	Consulting	SPECIAL	Camp Best	Non-Capital
						Fund	PROGRAM	Prof. Serv.	FACILITIES	Friends	Trust
Contract Total:					100%						

SECTION 2: That all Ordinances and parts of Ordinances in conflict herewith are hereby waived to the extent of the conflict.